



PROCEDURE MANUAL

For **COMMUNITY-SUPPORTED / RESIDENTIAL SERVICES SUPPORT -- DECEMBER 2007**

REVISION FALL 2010

This revision is in effect as of September 1, 2010. It supplements the existing "Procedure Manual", which represents all requirements of the DOE funding application process. The revision is a *brief* refresher of state funding of excess costs, and an update of some new aspects that are in line with the current state government administration. Non-implementation of the refreshers and updates, as well as all other requirements in the "Procedure Manual", will jeopardize funding approval, yielding full denial, partial denial, or shortened funding time period. The numbered items in this document will be used in funding response letters to efficiently identify non-compliance with application requirements.

In general, what remains exactly the same as in years past is the requirement that the school demonstrate how they cannot meet the *educational* needs of the extraordinary special education student *in any other way* without this funding.

What really has been in place all along, but is now especially pronounced is that the I.D.O.E. is funding a school corporation. Certainly, schools are expected to meet the educational needs of all of their students with the federal, state, and local funds they generate. Only pursuant to IC 20-35-8-2 and IC 20-35-6-2 may a school *choose* to request additional funding via a state contract. The funding application form is re-vised, the basics are re-fined, and authority is re-aligned:

- ➡ 511 IAC 7-47-1(c) states that "a school corporation of legal settlement or a charter school may apply..." and 7-47-2(b) states that "the school corporation of legal settlement or the governing body of the charter school may appeal ..." a funding denial.

The superintendent, or superintendent's designee, of the student's school corporation of legal settlement or charter school must sign the application. The school may designate any school staff to submit an application. While an application, approval, and contract name a particular student and a particular vendor, the funding is really for a school corporation.

Several key changes to the funding application process are:

- no need for parent signature on the application - recall that funding is really for a school corporation.
- yes need for superintendent signature on the application - same rationale.
- same application form, drastically streamlined to OMIT several pages.
- no 7 questions to answer - however, their essence must be addressed in the IEP.

The routine sequence of events is still:

1. School submits an "application".
2. DOE Special Education generates a "letter".
3. DOE Finance generates a "contract". (however, only when a vendor is in "good standing" with the state.)
4. DOE Finance sends contract to parties/consumers for signatures.
5. DOE Finance sends consumer-signed contract to 2 other state agencies for signatures.
6. DOE Finance sends copies of fully executed "contracts" to all parties, including DOE Special Education.
7. Vendor, *only then*, can submit invoices to DOE and schools for payment.
8. State Auditor holds payment on invoices for 35 days after DOE receives them.

All through the above steps, the vendor is delivering services to your student. UNPAID. All approval "letters" must be reviewed closely and quickly. Barring corrections, the "letter" information is copied directly into the "contract". Then, **original** contract signature pages should be *rushed* back to DOE.

Any re-application is now due 45-60 days prior to the end of a contract, *as stated in the letter*. DOE chooses a date that fits the school's situation and still allows DOE to meet state contracting requirements. For each day a re-application is received

by DOE past the due date, the cost of each late day may be added to the school's financial obligation in the next contract.

For all day-only services, school attendance records must accompany invoices to help verify service delivery.

GETTING AN APPLICATION APPROVED:

1. The method of funding services is not a required component of an IEP; therefore no reference should be made to an application to the IDOE. A case conference committee determines the special education and related services that will address a student's educational needs, the services are documented in the IEP, and implementation follows. Nothing in Article 7 restricts a school from utilizing its own resources to pay for excess costs to improve student learning.
2. Save trees and get on-point: Do not include hard copies or refer to, as "uploads" into ISTART7, any reports, evaluations, data charts, ISTAR tests, etc. They will not be read, or kept. Such data sources can be listed in the IEP and briefly connected to items below in #3. *How did the CCC use the data to complete IEP??*
3. The IEP is the superb way to bring together all those sticky little special education requirements to form a robust application that will assuredly: 511 IAC 7-47-2 (a) "(1) include required information; and (2) demonstrate eligibility for excess cost funding." **Each DOE funding application, no matter initial OR re-app, must include a **freshly revised IEP**** with clear, succinct, easy-to-find:
 - a. documentation of *analysis of effectiveness* of school's OR vendor's **most recent traditional** interventions and *innovative* interventions.
 - b. documentation of numeric/quantified present levels of performance *resulting from* the **most recent** interventions.
 - c. numeric/quantified goals directly related to needs school cannot meet without this funding.
 - d. reason(s) student's educational need is now more extraordinary than similar students in same school or coop.
 - e. documentation of special education services that matches the application budget page.
 - f. documentation of related services that matches the application budget page.
 - g. documentation of ESY that matches the application budget page.
 - h. explanation of action(s) the school will take during the funding period to improve the school's ability to meet the student's educational need without this funding.
 - i. FOR RE-APP: description of why action(s) did not occur OR did not yield expected improvement that could meet student's need without this funding.
 - j. reason(s) the vendor is chosen, expectation(s) for vendor - what funding should yield for student.
 - k. FOR RE-APP: on what the school based determination that the vendor met expectation(s) and is re-chosen.
4. GOALS, GOALS, GOALS..... importance cannot be stressed enough!!
Bottom line: Goals, in these expensive funding situations, cannot be older than 12 months. It's just that simple - goals are not to be called "still appropriate" at that mislabeled "annual" case conference. 1st - goals are to be written in a way that can *reasonably* be achieved within 12 months (if even that long for these students). 2nd - progress reports are to be about whether or not goals *will be* achieved by the end of the IEP. If achievement is not likely, then *something should change* - services, methodology, reanalysis - prior to the end of the IEP. 3rd - measurement of the vendor - **ACCOUNTABILITY** - Vendor, are you doing what we hired you to do?! Are you working on what the IEP says to work on?! Should we hire you again?!
5. DOE will not pay for:
 - "0" tolerance of negative behaviors: goals that expect "0" incidences, or 100% compliance.
 - expensive services for students not "following directions" or "cursing".
 - IEPs with duration simply extended to relate to a case conference date.
 - budgets that request funding to go beyond IEP services or goals duration.
 - out-of-date goals.
 - services that would "benefit" the student - must be the *only way*.
6. When a request for state funding of excess costs is denied, in part or in full, the school may follow procedures in 511 IAC 511 IAC 7-47-2 appeal from denial of application or re-submit a reapplication that meets all requirements.